

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
ALEXANDER BAKER et al.,
:

Plaintiffs,
:

-v-
:

AMERICAN SOCIETY OF COMPOSERS, AUTHORS, :
AND PUBLISHERS et al.,
:

Defendants.
:
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21-CV-11126 (JMF)

ORDER

JESSE M. FURMAN, United States District Judge:

On April 5, 2023, the Court issued a Memorandum Opinion and Order concluding that Plaintiff had not adequately alleged subject-matter jurisdiction and directing Plaintiff to file a declaration attesting to his citizenship and showing cause why the Court should exercise subject-matter jurisdiction over his remaining claims. *See* ECF No. 85. Because Plaintiff is proceeding *pro se*, the Court directed the Clerk to mail a copy of the Memorandum Opinion and Order to Plaintiff. *Id.*

The Clerk's mailing receipt, however, indicates that the Memorandum Opinion and Order was mailed to AdamBraveryLLC, an entity operated by Plaintiff and that was initially a plaintiff in this case. It is not clear from the mailing receipt whether the Memorandum Opinion and Order was mailed to Plaintiff himself.

Accordingly, Plaintiff's deadline to file a declaration, not to exceed three pages, attesting to his citizenship and showing cause why the Court should exercise subject-matter jurisdiction over his remaining claims is EXTENDED, *nunc pro tunc*, to **May 25, 2023**. Defendants shall

file any response, not to exceed three pages, **one week thereafter**. If Plaintiff does not file anything by that deadline, the Court will dismiss the case without prejudice for lack of subject-matter jurisdiction.

The Clerk of Court is directed to mail a copy of this Order and the Court's April 5 Memorandum Opinion and Order, ECF No. 85, to Plaintiff Alexander C. Baker at the following address:

3505 8th Avenue
Los Angeles, CA 90018

In addition, out of an abundance of caution, counsel for Defendants is directed to mail a copy of this Order and the Court's April 5 Memorandum Opinion and Order to Plaintiff by **May 5, 2023**, and to file proof of service on the docket by **May 8, 2023**.

SO ORDERED.

Dated: May 4, 2023
New York, New York



JESSE M. FURMAN
United States District Judge